

The February meeting of the WEST COAST INLAND NAVIGATION DISTRICT COMMISSIONERS was held February 8, 1963 at the Manatee County Office Building.

Present were:

Warren S. Henderson, Vice-Chairman, Sarasota County
A.L. Anderson, Secretary, Pinellas County
Irwin Klemmer, Treasurer, Manatee County
Mack H. Jones, Lee County
H.H. Anger, Charlotte County

George Kumpe, Executive Director
Dewey A. Dye, Jr., General Counsel
Joe K. Merrin, Engineer

Absent:

Ellsworth G. Simmons, Chairman (On business in Washington)
J. Hardin Peterson Sr., Special Counsel

ADMINISTRATION

The Vice Chairman called the meeting to order at 11:05 A.M. Minutes of the 11 January 1963 meeting were approved as presented. Mr. Klemmer read the Treasurer's Report and it was approved as read. Vouchers #3283 through #3307 covering current bills were approved for payment.

The Director referred to Board directive at the January meeting that the accounts of the District be audited for the protection of the outgoing and incoming Treasurers. Consultation with the State Auditor determined that if an examination of the accounts by Mr. Bustle, Mr. Klemmer and the Director satisfied them that the Treasurer's report of Jan. 11, 1963 was correct this should be sufficient. This Committee submitted a report that the bank statements of all banks as of Jan. 1, 1962 and deposit receipts from Jan. 1-11, 1962 had been examined and the Jan. 11 Treasurer's Report was correct. Commissioner Anderson moved that the report of the auditing committee be approved. The motion carried.

HEARING OF INDIVIDUALS

Commissioner Johnson Warren of Sarasota County appeared to suggest the use of the waterway right-of-way as borrow pits needed for construction of the Venice by-pass road. The Director said that as soon as the State Road Department surveys are complete the matter would be investigated to determine if the proposal is feasible, that he felt the Corps of Engineers would be willing to provide the spoil for public purposes. Commissioner Anderson remarked that it would seem to be of public benefit and all Commissioners agreed that the determination of feasibility should be made.

PROGRESS REPORT

The Director read the progress of construction during the month.

It was reported that the Contractor had moved his equipment from the job in Section 5 before it was completed and that the District Engineer was taking action to have the contract completed.

The Director reported that six bids ranging from \$2800 to \$5184 had been received on diking spoil area S 35-1 (Bickel et al), and that telephonic approval of four Commissioners was obtained to award the contract to the low bidder, R.C. Huffman Construction Co., notice to proceed being delivered to the Contractor on Feb. 5. Confirmation of the telephonic approval was given on the motion of Commissioner Anderson.

The Director reported that solution of the problem of land acquisition for the Skyway borrow channel seems probable sometime next week.

The Progress Report was accepted.

OTHER BUSINESS

Mr. Dye stated that the Pinellas tax situation should be discussed; that the Mandamus Suit filed at Lakeland had been denied without prejudice for filing in Pinellas County. In January Mr. Dye met with the new Pinellas County Board of County Commissioners and discussed the matter, but the meeting developed into an exchange of points of view and no decision was reached.

Mr. Anderson said that Pinellas County budgeted the .25 mills as applied to the valuation in the County at the time the millage was set.

Mr. Henderson read a resolution from Lee County that Pinellas County pay its respective share of the tax at the going rate of millage and that they not be allowed any deduction from this going rate since it would be unfair to the other counties and would start a policy which could cause dissention in the District. Mr. Dye commented that while Mr. Anderson feels very strongly that there is some question about the basic law under which WCIND is operating, he personally thought it would be better to litigate the matter before the legislature meets so that, if necessary, the law could be changed without waiting two years. Commissioner Anger felt that the Charlotte County Board would go along with the feelings of Lee County and reminded that their assessment was 80 per cent last year but they still met their obligations to WCIND. Mr. Klemmer noted the varying assessment rates among the six counties and expressed a belief that there should be uniformity. Mr. Henderson read from the November, 1962 minutes which directed attorneys to

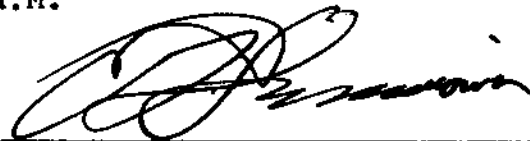
"proceed with whatever action is necessary in keeping of the law administering WCIND's duty", and said "that's how we stand today, so the attorneys should proceed with filing in Pinellas County." Mr. Anderson doubted the matter could be settled quickly but Mr. Dye said he had hopes of getting an immediate ruling as it did concern public bodies.

Commissioner Jones asked if there were any matters the members of the Board needed to take up with legislators this year. The feeling was that it would be helpful if a study were made on the matter of all counties being assessed at the same level. Mr. Simmons and Mr. Jones were appointed as a committee to work on legislation and report at the next meeting.

Mr. Anger reported that the State Road Department had informed Charlotte County that they could use up to \$15,000 of the Charlotte County contribution to the Englewood Bridge project for right-of-way and that the right-of-way contract had been signed by the County. It was also noted that the bridge would follow the same alinement as the present bridge, being approximately 60' northward and that the present bridge would be in use during construction of the new one.

Mr. Henderson said that Sarasota County had at long last agreed on the wording of the bond agreement for Albee and Manasota bridges and the attorney is making arrangements to get the bonds floated.

The meeting adjourned at 11:50 A.M.



Chairman



Secretary

PROGRESS REPORT

11 January 1963 - 8 February 1963

CONSTRUCTION

Progress - During the month of January:

a. In Section 5 the contractor's operation consisted of removal of boulders. The contract was 90% complete on Jan. 31.

b. In Section 4 the contract dredges excavated 369,093 cubic yards of material and advanced 9,459 linear feet. On Jan. 31 the contract was 58% complete.

Operations, Sec. 4 - The Hendry Corp. utilized an additional pipeline in the vicinity of the Page tract south of Blackburn Point Road. This easement was arranged by direct negotiations between the owners and the contractor.

Dredging at bridges - Resolution passed at the Jan. 11 meeting was forwarded to Mr. Hector Johnson and by him to the State Road Department. This resolution asked that the SRD plans and specifications for protecting the piers of the Blackburn Point Bridge included, at Navigation District expense, dredging through the bridge to project depth.

Plans and specifications for dredging at the Siesta Key bridge were prepared and a draft sent to the Corps of Engineers for comment.

Diking - Bids for diking at spoil area S 35-1 (Bickel, et al) were opened on Jan. 30. Six bids were received ranging from \$2800 to \$5184. Based upon telephonic approval of four Commissioners award was made to the low bidder, the R.C. Huffman Construction Co. Notice to proceed was delivered to the contractor on Feb. 5th.

LANDS

Lee County - The Director furnished to Mr. Freeman Horton, consulting engineer, information on possible fill from the waterway for the Lee County air strip.

Sarasota County, Sec. 2 S/A S-4 (Sarasota County-Alexander)
On Jan. 16 the Director met with Sarasota County officials to discuss plans for this area. Action was suspended pending further negotiations by the County.

S/A S-6 (Many owners) - Dr. C. Sterling Conover was furnished information as to the relationship of his tract to the spoil area and its possible exclusion from the spoil area.

The Director met with Mr. John Maddin of North Manasota Key Association on Jan. 22 to discuss spoil areas north of Manasota bridge.

Col. Robert Lowery, Vice President Hardin Realty, met with the Director on purchase of submerged land required for spoil areas in Lemon Bay.

Sec. 3 - Prints of right-of-way and spoil areas were furnished to Sarasota County Engineer at his request.

Sec. 4 S/A S 24-A (Cardinal et al) - Mr. and Mrs. George Cardinal visited the Director on Jan. 30 to discuss filling operations on their property. The Director asked the Hendry Corp. to have a representative call upon them.

S/A S24-1/PL 2-A (Hoehl) - Reports have been received that there is local objection to the utilization of this pipeline and placement of spoil on the Gulf.

S/A S 24-2 (Sorrento Shores) - At the request of Mr. Manion, Mr. Forsyth met with him on his property and explained the relationship of the right-of-way and spoil area to the tract.

Efforts by Mr. Pitts, developer of this spoil area, to find a pipeline easement across Casey Key were unsuccessful. The additional easement was desired to minimize spoil on Sorrento Shores. One possible pipeline easement on the property of Mr. Livingston was considered by the Hendry Corp. to be too far north to resolve the Sorrento Shores problem.

On Feb. 1st the attorney for Mr. Pitts advised the Navigation District, the contractor, the subcontractor and the Corps of Engineers that the spoil area easement granted by the previous developer was terminated, that further activities would be considered as trespass and that damages might be claimed. Mr. Dye met with the attorney on Feb. 4. On Feb. 5 a meeting was held by representatives of the developer, the Hendry Corporation and the Navigation District.

At the request of the developer one half-lot and a canal was released from the spoil area.

Cut S-35A - Mr. Morey, owner of property on Siesta Key west of the cut asked for an opinion on the effect of the waterway on his retaining wall. He was answered that necessary information was not available.

S/A S 36-1 (Prodie) - The owner called to protest dredging operations on property obtained from her by the Navigation District by condemnation. The owner expressed dissatisfaction that the tract would not receive spoil.

S/A S-37 (Ringling-Shepherd-Curan) - Discussion as to the use of this area on Jan. 25 and 28 lead to an agreement that the contractor would eliminate or minimize as much as possible filling in the southern 400' of the spoil area. In return Sarasota County agreed to alleviate any mosquito breeding problems resulting from the contractors operation.

Manatee County, M-12 - The Corps of Engineers released spoil area M-12 for other use by the owner.

Pinellas County - The problem of lands required for the Skyway borrow channel has not been resolved but solution appears probable. Mr. Bryan Henry, attorney for the State Road Department was furnished copies of the federal permit for the waterway.

Venice - The City of Venice was furnished copy of the formal resolution passed on Jan. 11 by the Board of Commissioners of the Navigation District regarding the Turin Avenue utility crossing.

On Jan. 22 the City was furnished necessary information and papers to be used in requesting FAA approval of lands in the Venice airport to be transferred to WCIND.

BRIDGES

Englewood Bridge - On Jan. 29th the Board of County Commissioners of Charlotte County signed a right-of-way agreement with the State Road Department for the acquisition of needed right-of-way. Costs up to \$15,000 may be taken from the \$20,000 per year contribution of the County to SRD for the reconstruction of this bridge. Any excess costs must be borne by the County.

On Feb. 4 the Director furnished information to Mr. Hector Johnson on the construction schedule for the waterway and its relationship to reconstruction of the Englewood bridge.

ADMINISTRATION

A report of income and expenditures was made to the Bureau of the Census.

Securities safeguarding time deposits of the Inter City National Bank were exchanged, and authority granted to exchange Manatee National Bank Securities.

The President's Budget Message included an item of \$950,000 for continuance of construction of the West Coast Waterway.

Mr. Dye met with the Pinellas County Board of Commissioners on Jan. 17 to discuss WCIND tax levy for the current year.

The audit of accounts related to the exchange of duties as WCIND treasurers, was directed at the Jan. 11 meeting, was accomplished by Mr. Klemmer, Mr. Bustle and the Director after consultation with Mr. Robert Austin, State Auditor and Mr. A.L. Anderson.

On Feb. 1 the Director provided Mr. Koperski of the Corps of Engineers information on the status of local cooperation in Sections 2 and 3.

The Director attended a meeting of the Mid-Gulf Basins Advisory Committee in Tampa on Jan. 18.

The Director spoke before the Sarasota Power Squadron on Jan. 15.